

Assault: Retaliation Is An Assault With Wide Effects In School

*A 16 year old was reprimanded for assault.
When he re-appeared in school, he was assaulted
by the victim. The Mediation Service was called in.*

The Background

Both boys were pupils at a high school and had both had a secondment to a building college where they were learning building skills and where the offence occurred. Whilst there had been minor antagonism before there was no clear definition of what the flash-point was to cause Colin to hit Gareth with a hammer. The police had liaised over the case and Colin had been reprimanded for his assault on Gareth. It had been Gareth's parents who had reported the assault to the police. Gareth had come home and had then been taken to casualty by his parents, suffering from a delayed concussion from a hammer blow. The school had already developed links with outside agencies in order to assist when they experienced problems. A police outreach worker attached to a high school referred this case on to the mediation service under the terms of an existing partnership agreement. Once the case was referred to our mediation service, I went to see Gareth first and then Colin. Both boys had a perception of being both victim and offender because what happened was a fracas at the building college. Colin had picked up a hammer and swiped Gareth without causing a visible injury. Colin had been suspended from school and when he returned to school, Gareth saw red and beat Colin up, kicking him repeatedly on the ground. Both boys became both victim and offender in the incidents, though only Colin had been formally reprimanded by the police. When I visited Gareth he felt justified in retaliating because he felt that the presence of Colin in the school made him feel threatened. He just felt that justice hadn't been done as he hadn't been taken to court and prosecuted for it. So there was confusion in them both. Part of my work was in developing an understanding that being a victim led to being an offender and enabling the owning of that title victim and offender in those respective situations. It was not just a two-way mediation; but a three way mediation, including the Head Teacher of the school. Mr Jefferies, Headmaster, had been brought into dialogue first of all to give me some background information and understanding on the respective exclusions of the two boys and secondly because I wanted to back track and ask was there some history between the two boys in the first instance, was there was anything that predated the first incident at the building college?

Mr Jefferies was very clear about what he wanted to come out of the mediation. He wanted the two boys to take on board the owning of their own offences and understanding of how their respective offences had affected each other as victims. He wanted some resolution so that this wasn't going to be an ongoing thing which would then spill back into the school when the two of them were back into the same environment. The fact that Mr Jefferies had given me background information was very productive for the mediation because it helped me understand why there was a discrepancy in the length of times they were both banned from school. One had been banned for less time than the other one and that was an issue for both the boys. Gareth saw that he'd been banned for longer than Colin when in actual fact he was actually being excluded for the same number of days attendance at school. Holidays and two weeks work experience accounted for the longer period before Gareth was to be allowed back to school. In the face-to-face meeting Mr Jefferies took very much a back seat role, he was present, the two boys were present, Colin had his mum there but Gareth chose not to have anyone else there, not seeing the need for it. I worked with a co-mediator, at the meeting. We stated clearly that Mr Jefferies was there to see what was going on and to use that to put on school

record in relation to the two boys.

Nonetheless, during the mediation Mr Jefferies offered the flexibility to reduce Gareth's school-exclusion, allowing a negotiation between the two boys themselves. Mr Jefferies said to Colin

"How do you feel now after hearing what's been said and discussed, if I allow Gareth back into the school? We've heard all the assurances that nothing was going to kick off any further." Mr Jefferies also wanted to take what he'd heard back to the school to a specific teacher who had witnessed

the assault in the school and while she had not been involved in it, had been very shocked by it as a very aggressive act that had come out of nowhere. She needed re-assurance before she was able to accept the early return of the boys to school and was content with the headmaster's role in expressing her upset at the mediation and relaying an account back to her. There was a need for similar dialogue between Mr Jefferies and the staff that actually teach the boys. During the mediation, Colin and Gareth came to see their assaults on each other as stones being thrown into a pond, that cause many ripples. Families, teachers and non-teaching staff were all affected. Then Colin and Gareth looked at how they could have prevented their behaviour from escalating in the way it had, and what they would like to have done differently. Mr Jefferies

greatly valued the externally facilitated mediation process as a means of emphasising the seriousness of the concerns. From his perspective, the mediation enabled somebody else to take responsibility for the meeting whilst he expressed various concerns and enabled the engagement of the offenders in ways that wouldn't have happened if he had just given them a telling-off. There were apologies on both sides and when involved with young people, if it has been a positive face-to-face and both are making resolutions towards making change, I offer them the option of shaking hands together. These two without hesitation shook hands with each other. I feel that personally, if two people make that connection that it cements their resolve not to continue the behaviour. Also it allowed the two boys to 'put it to bed'. The two boys are from an environment in their town that could have allowed the animosity to continue and build over months and years. On Colin's part there was an element of being the 'main man', of being seen as a 'wide boy'. They would have perpetuated this and it would have gone on in the school. It was an intervention that was witnessed by people who were relevant to them – allowing them formally to declare 'war was over'.